

Regular Session, 2012

SENATE BILL NO. 92

BY SENATOR MORRELL

GAMING. Provides relative to significant influence. (gov sig)

AN ACT

To amend and reenact R.S. 27:28(H)(1), relative to suitability standards for gaming licenses, permits or contracts; to provide with respect to suitability determination; to require persons with the capacity to influence a licensee, casino gaming operator, a permittee, or other person required to meet suitability requirements, to also meet suitability requirements and qualifications; to provide for considerations by the board or division; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:28(H)(1) is hereby amended and reenacted to read as follows:

§28. Suitability standards

* * *

H.(1)(a) Any person who has or controls directly or indirectly five percent or more ownership, income, or profit or economic interest in an entity which has or applies for a license or permit or enters into a casino operating contract with the state pursuant to the provisions of this Title, or who receives five percent or more revenue interest in the form of a commission, finder's fee, loan repayment, or any other business expense related to the gaming operation, or who has the ability or capacity;

1 ~~in the opinion of the board~~, to exercise a significant influence over a licensee, the
2 casino gaming operator, a permittee, or other person required to be found suitable
3 pursuant to the provisions of this Title, shall meet all suitability requirements and
4 qualifications pursuant to the provisions of this Title.

5 **(b) In determining whether a person has significant influence for**
6 **purposes of this Section, the board or division may consider, but is not limited**
7 **to, the following: management and decision making authority, operational**
8 **control, financial relationships, receipt of gaming revenue or proceeds, financial**
9 **indebtedness and gaming related associations.**

10 * * *

11 Section 2. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Angela L. DeJean.

DIGEST

Present law provides that any person who has or controls directly or indirectly five percent or more ownership, income, or profit or economic interest in an entity which has or applies for a license or permit or enters into a casino operating contract with the state pursuant to present law, or who receives five percent or more revenue interest in the form of a commission, finder's fee, loan repayment, or any other business expense related to the gaming operation, or who has the ability, in the opinion of the board, to exercise a significant influence over a licensee, the casino gaming operator, a permittee, or other person required to be found suitable pursuant to present law, shall meet all suitability requirements and qualifications pursuant to present law.

Proposed law adds to present law by including any person who has the capacity to exercise a significant influence over a licensee, casino gaming operator, permittee, or other person required to be found suitable pursuant to present law to the list of persons who shall meet all suitability requirements and qualifications in present law. Deletes reference to "the opinion of the board".

Proposed law provides that in determining whether a person has the capacity for significant influence for purposes of present law, the board or division may consider, but is not limited to, the following: management and decision making authority, operational control, financial relationships, receipt of gaming revenue or proceeds, financial indebtedness and gaming related associations.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 27:28(H)(1))